

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-6, 8-24 and 26-33 are pending in the present application. Claims 1-6, 8-24 and 26-33 are amended and Claims 7 and 25 are cancelled in the present amendment.

Claim amendments find support in the claims as originally filed. Thus, no new matter is added.

In the outstanding Office Action, the drawings are objected to under 37 CFR 1.83(a) as failing to show all the features recited in the claims; the specification is objected to as not containing all of the required content; Claims 7-19 and 22-31 are objected to under 37 CFR 1.75(c) as being in improper form; Claims 32 and 33 are objected to as including informalities; Claims 1-3, 6 and 32-33 are rejected under 35 U.S.C. §102(b) as anticipated by Van Hees (E.P. 1130190); Claims 2-5, 20 and 21 are rejected under 35 U.S.C. §103(a) as unpatentable over Van Hees.

In regard to the objection to the drawings, the specification has been amended to include that reference numeral 14 of Fig. 2 refers to a felt of glass fibers. Accordingly, it is respectfully requested that the objection to the drawings be withdrawn.

In regard to the objection to the specification as not complying with the noted requirements, the specification has been amended to add the necessary absent section headings. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

In regard to the objection to Claims 7-19 and 22-31 as including improper dependencies, Claims 8, 9, 10-24 and 26-31 are amended to recite proper dependencies. Claims 7 and 25 have been cancelled, as noted above. Accordingly, it is respectfully requested that the objection to Claims 7-19 and 22-31 be withdrawn.

In regard to the objection of Claims 32 and 33 as including informalities, Claims 32 and 33 are amended to properly recite the claimed subject matter. Accordingly, it is respectfully requested that the objection to Claims 32 and 33 be withdrawn.

In regard to the prior art rejections of the claims, the rejection of Claims 1-3, 6 and 32-33 under §102(b) as anticipated by Van Hees and the rejection of Claims 2-5, 20 and 21 under §103(a) as unpatentable over Van Hees are respectfully traversed.

Claim 1 recites, in part, “a material comprising a felt of mineral fibers wherein the felt includes binder that is in an amount from 3 to 30% by weight,” independent Claim 20 recites similar features.

Van Hees describes a glass fiber mat used for sound insulation of a floating floor. However, as noted in the outstanding Office Action, Van Hees does not describe or suggest a felt wherein the felt that is in an amount from 3 to 30% by weight.

Accordingly, Applicant respectfully submits that Claim 1 and similarly independent Claim 20 and any claims dependent therefrom, patentably distinguish over Van Hees.

In regard to Claims 32 and 33, Claim 32 recites, in part, “placing said material on a floor base and under a wood floor in a room, in order to attenuate the impact noise in the room caused by an impact with said wood floor.”

Van Hees describes a substrate comprised of a glass fiber mat and a polyethylene mat that is installed between a concrete slab floor base and a floating floor.¹ Further, Van Hees describes that the floor is designed to reduce the transmission of impact noises through the ground or floor.²

In contrast, Claim 32 describes placing the material under a wood floor in order to reduce the noise in the room itself caused by impact with the floor.

¹ Van Hees, page 11, (Fig. 4).

² Van Hees, page 1, description.

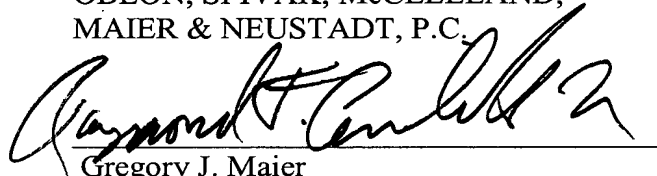
In other words, Van Hees is designed to reduce the noise emanating from one room to another through the floor, while Claim 32 describes reducing noise in the room itself caused by impact with the wood floor of the room.

Accordingly, Applicant respectfully submits that independent Claim 32 and similarly dependent Claim 33 depending therefrom, patentably distinguish over Van Hees.

Consequently, in light of the above discussion and in view of the present amendment, the application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "Gregory J. Maier", is written over a horizontal line.

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